

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Canopy Growth Corporation,)	
)	
<i>Plaintiff,</i>)	
v.)	Civil Action No. 6:20-cv-01180-ADA
)	
GW Pharmaceuticals PLC,)	
)	JURY TRIAL DEMANDED
<i>Defendant.</i>)	
)	

JOINT STIPULATION REGARDING JURISDICTIONAL ISSUES

The parties have reached a joint resolution regarding Defendant GW Pharmaceuticals PLC (now GW Pharmaceuticals Ltd.) (“GW”)’s pending Motion to Dismiss the Complaint Under Fed. R. Civ. P. 12(b)(2) and 12(b)(6) (Dkt. 13) and Plaintiff Canopy Growth Corporation (“Canopy”)’s pending jurisdictional discovery requests. In accordance with the parties’ agreement, Canopy agrees to withdraw its pending jurisdictional discovery requests (served on May 13, 2021) and GW consents to Canopy filing the First Amended Complaint against GW Pharma Limited and GW Research Limited filed concurrently with this Joint Stipulation. Counsel for GW further agrees to accept service of the First Amended Complaint on behalf of GW Research Limited and GW Pharma Limited.

Further pursuant to parties’ agreement, Canopy, GW Pharmaceuticals PLC (now GW Pharmaceuticals Ltd.), GW Pharma Limited, and GW Research Limited hereby enter the following stipulations:

1. The named Defendants in the First Amended Complaint will not use any distinction in the identity of the parties GW Pharma Limited and GW Research Limited and the parent company GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited) as a basis to withhold

relevant information or as a basis to assert improper or inconvenient venue. This does not preclude GW Pharma Limited and GW Research Limited from moving to add any other currently unnamed party as a necessary party and raising an objection to venue on that basis;

2. For the purposes of 35 U.S.C. § 286, the date of the “filing of the complaint” against GW Pharma Limited and GW Research Limited will be December 22, 2020, the date of the “filing of the complaint” against GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited);

3. For the purposes of discovery in this case, documents, information, and tangible items in the possession, custody, or control of GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited) or its subsidiaries are also deemed to be in the possession, custody, or control of both GW Pharma Limited and GW Research Limited;

4. The named Defendants in the Amended Complaint will not object to a request for deposition on the grounds that the prospective deponent is an employee of GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited) or any of its subsidiaries, rather than of one of the named Defendants (GW Pharma Limited or GW Research Limited); and

5. Neither GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited) nor any of its corporate parents or subsidiaries will take any action with the purpose of causing either GW Pharma Limited or GW Research Limited to be unable to fully satisfy any judgment entered in this case, and GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited) will satisfy any judgment against GW Pharma Limited and/or GW Research Limited should GW Pharma Limited and/or GW Research Limited be unable to satisfy any judgment entered in this case. This provision is not an admission that GW Pharmaceuticals PLC (now GW Pharmaceuticals Limited), GW Pharma Limited and/or GW Research Limited are substantively liable for any alleged infringing activities of each other or any other unnamed GW entity.

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Attorney for Plaintiff

Dated: July 7, 2021

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2021, a copy of the foregoing was served on all counsel of record via the Court's CM/ECF system.

/s/ Kurt Pankratz

Kurt Pankratz